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Attorneys for Defendants

7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 Aracely Pacheco Moran,

10 Plaintiff,

11 v.

12 CHAD WOLF, Acting Secretary of
Homeland Security; MATTHEW T.
13 ALBENCE, Deputy Director and Senior
Official Performing the Duties of the
Director for U.S. Immigration and
14 Customs Enforcement; KENNETH T.
CUCCINELLI, Senior Official Performing
the Duties of the Director, U.S. Citizenship
15 and Immigration Services; Sandra
Anderson, Department of Homeland
Security, Office of Chief Counsel; MAYA
16 S. TIMIS; NICOLE WELLS, OFFICER
ZHOU, OFFICER CANTRELL,
17 UNKNOWN DOES DEFENDANTS 1-99,

18 Defendants.

Case No. 2:20-cv-01292-KJD-VCF

19
20 **Stipulation and Order for Extension
of Time**
(First Request)

21 Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A), Plaintiff Aracely Pacheco
22 Moran and Defendants Nicole I. Wells, Maya S. Timis, Matthew M. Cantrell and Jack
23 Zhou, *et al.* ("Defendants") stipulate and jointly request that the Court approve a 60-day
24 extension of time, from September 11, 2020 to November 10, 2020, for Defendants to
25 respond to Plaintiff's Amended *Bivens* Complaint and Demand for Jury Trial ("Amended
Complaint") (ECF No. 10).

26 The U.S. Attorney's Office was served with the original *Bivens* Complaint on July
27, 2020. (ECF No. 1). Defense counsel, however, was precluded from taking any action to

1 represent Defendants until the U.S. Department of Justice (“DOJ”) approved their requests
 2 for representation.¹ The DOJ did not approve those representation requests until September
 3 11, 2020. Because the federal government is permitted 60 days to respond to a complaint,
 4 Defendants respectfully request that the Court allow them 60 days from the date their
 5 representation requests were approved to respond to the
 6 Amended *Bivens* complaint. An extension is also warranted because defense counsel’s office
 7 has been inundated with emergency COVID-19-related motions and she is assisting with
 8 responding to that litigation. The deadlines in those cases are shortened and require prompt
 9 action.

10 In sum, good cause exists to extend the time for Defendants to respond to Plaintiff’s
 11 Amended Complaint. *See Fed. R. Civ. P. 6(b)(1)(A)* (“When an act may or must be done
 12 within a specified time, the court may, *for good cause*, extend the time...with or without
 13 motion or notice if the court acts, or if a request is made, before the original time or its
 14 extension expires[.]”) (emphasis added). This is Defendants’ first request for an extension
 15 of time. *See LR IA 6-1* (must advise of previous extensions). This stipulated request is filed
 16 in good faith and not for the purpose of undue delay.

17 Respectfully submitted this 23rd day of September 2020.

18 MILLENIUM LEGAL LLC

20 /s/ Brian J. Ramsey
 BRIAN J. RAMSEY, ESQ.
 Attorney for Plaintiff

NICHOLAS A. TRUTANICH
 United States Attorney

/s/ Holly A. Vance
 HOLLY A. VANCE
 Assistant United States Attorney
 Attorneys for Defendants

23 DATED: 9-23-2020

T IS SO ORDERED:


United States Magistrate Judge

26 ¹ Defendants requested that the DOJ represent them shortly after they were served with the
 27 original complaint. Defendants Timis, Cantrell, and Zhou were served on July 29, 2020 and
 Defendant Wells was served on July 30, 2020.